

**RESOLUTION DECLARING THAT THE PUBLIC GOOD
REQUIRES THAT CERTAIN TERRITORY SHALL BE
BROUGHT WITHIN THE LIMITS OF THE CITY OF
MOBILE PURSUANT TO AND IN ACCORDANCE WITH TITLE
11, CHAPTER 42, ARTICLE 3, OF THE CODE OF ALABAMA**

(THEODORE AREA)

#2008-2095

WHEREAS, § 11-42-41 of the *Code of Alabama* provides that a city council may pass a resolution to the effect that the public health or public good requires that certain territory shall be brought within the limits of a city; and,

WHEREAS, § 11-42-43 of the *Code of Alabama* provides that upon passage of such a resolution by a council and certification by a mayor, the Judge of Probate must make and enter an order directing and ordering an election to be held by the qualified electors residing within the territory proposed to be brought within the limits of the city; and,

WHEREAS, § 11-42-47 of the *Code of Alabama* provides that each qualified voter who has resided within the boundaries of the territory proposed to be brought into the city for three months next preceding the election may vote at such election; and,

WHEREAS, a large number of qualified voters who reside within the boundaries of the territory described below have evidenced their desire to have such territory brought within the boundaries of the City of Mobile; and,

WHEREAS, the City Council of the City of Mobile desires to take the appropriate action so that the voice of these residents is given effect by passing this resolution (the "Resolution") allowing these residents an opportunity to vote on the question of whether they desire for such territory to be brought within the boundaries of the City of Mobile, and so as to provide for the future economic

well-being of these residents as well as all persons residing within the metropolitan Mobile area.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF MOBILE, THAT:

1. The public good requires that the following described territory shall be brought within the limits of the City of Mobile:

SOUTH MOBILE COUNTY

BEGINNING AT THE INTERSECTION OF THE OF THE EAST RIGHT OF WAY LINE OF SOLLIE ROAD AND THE PRESENT CORPORATE LIMITS OF THE CITY OF MOBILE, ALABAMA; RUN THENCE SOUTHWARDLY ALONG SAID RIGHT OF WAY TO THE NORTH LINE OF SECTION 20 T5S R2W; RUN THENCE EASTWARDLY ALONG THE NORTH LINE OF SAID SECTION TO THE NE CORNER OF THE NW 1/4 OF SAID SECTION 20; RUN THENCE SOUTHWARDLY ALONG THE EAST LINE OF SAID NW 1/4 TO THE SW CORNER OF N 1/2 OF THE NE 1/4 SAID SECTION 20; RUN THENCE EASTWARDLY ALONG THE SOUTH LINE OF SAID N 1/2 TO THE EAST LINE OF SAID SECTION 20; RUN THENCE SOUTHWARDLY ALONG THE EAST LINE OF SAID SECTION 20 TO A POINT LYING 355 FEET MORE OR LESS NORTH OF THE SOUTHWEST CORNER OF SECTION 21 T5S R2W; RUN THENCE EASTWARDLY AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 21 A DISTANCE OF 660 FEET MORE OR LESS; RUN THENCE SOUTHWARDLY AND PARALLEL WITH THE WEST LINE OF SAID SECTION 21 A DISTANCE OF 315 FEET MORE OR LESS TO THE NORTH RIGHT OF WAY LINE OF THREE NOTCH ROAD; RUN THENCE EASTWARDLY ALONG THE NORTH RIGHT OF WAY LINE OF THREE NOTCH ROAD A DISTANCE OF 588 FEET MORE OR LESS TO A POINT ON THE WEST SIDE OF MOBILE MEMORIAL GARDENS; RUN THENCE NORTHWARDLY AND PARALLEL WITH THE WEST LINE OF SAID SECTION 21 AND ALONG THE WEST SIDE OF SAID MOBILE MEMORIAL GARDENS A DISTANCE OF 310 FEET MORE OR LESS; RUN THENCE WESTWARDLY AND PARALLEL WITH THREE NOTCH ROAD A DISTANCE OF 160 FEET MORE OR LESS TO A POINT ON THE EAST RIGHT OF WAY LINE OF HILLCREST ROAD; THENCE RUN NORTHEASTWARDLY, AND NORTHWARDLY ALONG THE WEST SIDE OF SAID MOBILE MEMORIAL GARDENS TO A POINT ON THE NORTH LINE OF SAID SECTION 21; RUN THENCE EASTWARDLY ALONG SAID NORTH

LINE TO THE NORTHEAST CORNER OF SAID SECTION 21; RUN THENCE SOUTHWARDLY ALONG THE EAST LINE OF SAID SECTION 21 TO THE NORTHWEST CORNER OF LOT 4 RESUB OF OAK RIDGE COURT RECORDED IN MAP BOOK 14 PAGE 99 IN THE OFFICE OF JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; RUN THENCE EASTWARDLY ALONG THE NORTH LINE OF SAID SUBDIVISION TO A POINT ON THE EAST RIGHT OF WAY LINE OF DOZIER LANE; RUN THENCE SOUTHWARDLY ALONG THE EAST RIGHT OF WAY LINE OF DOZIER LANE TO NORTH LINE OF US HIGHWAY 90 SERVICE ROAD; RUN THENCE WESTWARDLY ALONG SAID NORTH LINE A DISTANCE OF 500 FEET MORE OR LESS; RUN THENCE SOUTHWARDLY A DISTANCE OF 370 FEET MORE OR LESS TO THE NORTHEAST CORNER OF HERMITAGE AVENUE AND THE SOUTH RIGHT OF WAY LINE OF US HIGHWAY 90 SERVICE ROAD; RUN THE SOUTH ALONG THE EAST RIGHT OF WAY OF HERMITAGE AVENUE A DISTANCE OF 186.5 FEET MORE OR LESS; RUN THENCE EASTWARDLY AND PARALLEL TO U.S. HIGHWAY 90 SERVICE ROAD A DISTANCE OF 320 FEET MORE OR LESS; RUN THENCE SOUTH AND PARALLEL TO HERMITAGE AVENUE A DISTANCE OF 575 FEET MORE OR LESS; RUN THENCE WESTWARDLY AND PARALLEL WITH US HIGHWAY 90 SERVICE ROAD A DISTANCE OF 65 FEET MORE OR LESS; RUN THENCE SOUTHWARDLY AND PARALLEL WITH HERMITAGE AVENUE A DISTANCE OF 125 FEET MORE OR LESS; RUN THENCE WESTWARDLY AND PARALLEL WITH U.S. HIGHWAY 90 SERVICE ROAD A DISTANCE OF 158 FEET MORE OR LESS; RUN THENCE SOUTHWARDLY AND PARALLEL WITH HERMITAGE AVENUE A DISTANCE OF 300 FEET MORE OR LESS TO THE NORTH RIGHT OF WAY LINE OF ANDREWS ROAD; RUN THENCE SOUTHWESTWARDLY TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF ANDREWS ROAD SAID POINT BEING THE NORTHEAST CORNER OF LOT 9 BLOCK 7 SUBURBAN GARDENS MAP BOOK 6 PAGE 295-300 IN SAID PROBATE COURT RECORDS; RUN THENCE SOUTHWARDLY ALONG THE EAST LINE OF SAID LOT 9 A DISTANCE OF 265 FEET MORE OR LESS; RUN THENCE WESTWARDLY AND PARALLEL WITH ANDREWS ROAD A DISTANCE OF 231 FEET MORE OR LESS; RUN THENCE SOUTHWARDLY AND PARALLEL TO CALHOUN ROAD A DISTANCE OF 603 FEET MORE OR LESS; RUN THENCE WESTWARDLY AND PARALLEL WITH JACKSON ROAD A DISTANCE OF 700 FEET MORE OR LESS TO A POINT ON THE EAST RIGHT OF WAY OF CALHOUN ROAD; RUN THENCE SOUTHWARDLY ALONG SAID CALHOUN ROAD A DISTANCE OF 190 FEET MORE OR LESS; RUN THENCE WESTWARDLY AND

PARALLEL WITH THREE NOTCH ROAD A DISTANCE OF 150 FEET MORE OR LESS; RUN THENCE NORTHWARDLY AND PARALLEL WITH CALHOUN ROAD A DISTANCE OF 90 FEET MORE OR LESS; RUN THENCE WESTWARDLY AND PARALLEL WITH THREE NOTCH ROAD A DISTANCE OF 1050 FEET MORE OR LESS; RUN THENCE NORTHWARDLY AND PARALLEL WITH GENERAL ROAD A DISTANCE OF 100 FEET MORE OR LESS; RUN THENCE WESTWARDLY AND PARALLEL WITH THREE NOTCH ROAD A DISTANCE OF 100 FEET MORE OR LESS; RUN THENCE SOUTHWARDLY AND PARALLEL WITH GENERAL ROAD A DISTANCE OF 100 FEET MORE OR LESS; RUN THENCE WESTWARDLY AND PARALLEL WITH THREE NOTCH ROAD A DISTANCE OF 355 FEET MORE OR LESS TO A POINT ON THE WEST RIGHT OF WAY BUSH LANE; RUN THENCE SOUTHWARDLY ALONG THE WEST RIGHT OF WAY LINE OF BUSH LANE A DISTANCE OF 100 FEET MORE OR LESS; RUN THENCE WESTWARDLY AND PARALLEL WITH THREE NOTCH ROAD A DISTANCE OF 105 FEET MORE OR LESS; RUN THENCE SOUTHWARDLY AND PARALLEL WITH BUSH LANE A DISTANCE OF 200 FEET MORE OR LESS TO A POINT ON THE NORTH RIGHT OF WAY LINE OF THREE NOTCH ROAD; RUN THENCE EASTWARDLY ALONG THE NORTH RIGHT OF WAY LINE OF THREE NOTCH ROAD A DISTANCE OF 80 FEET MORE OR LESS; RUN THENCE SOUTHWARDLY AND PARALLEL WITH BUSH LANE A DISTANCE OF 85 FEET TO THE SOUTH RIGHT OF WAY LINE OF THREE NOTCH ROAD; RUN THENCE EASTWARDLY ALONG THE SOUTH RIGHT OF WAY LINE OF THREE NOTCH ROAD A DISTANCE OF 530 FEET MORE OR LESS; RUN THENCE SOUTHWARDLY AND PARALLEL TO THE EAST LINE OF SECTION 28 T5S R2W A DISTANCE OF 610 FEET MORE OR LESS; RUN THENCE EASTWARDLY AND PARALLEL WITH THREE NOTCH ROAD A DISTANCE OF 210 FEET MORE OR LESS; RUN THENCE NORTHWARDLY AND PARALLEL TO THE EAST LINE OF SECTION 28 T5S R2W A DISTANCE OF 130 FEET MORE OR LESS; RUN THENCE EASTWARDLY AND PARALLEL WITH THREE NOTCH ROAD A DISTANCE OF 340 FEET MORE OR LESS; RUN THENCE NORTHWARDLY AND PARALLEL TO THE EAST LINE OF SECTION 28 T5S R2W A DISTANCE OF 240 FEET MORE OR LESS; RUN THENCE EASTWARDLY AND PARALLEL WITH THREE NOTCH ROAD A DISTANCE OF 632 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF SECTION 28 T5S R2W; RUN THENCE SOUTHWARDLY ALONG THE EAST LINE OF SAID SECTION 28 TO THE NORTH RIGHT OF WAY LINE OF OLD PASCAGOULA ROAD; RUN THENCE NORTHEASTWARDLY ALONG THE NORTHWEST RIGHT OF WAY LINE OF OLD PASCAGOULA

ROAD A DISTANCE OF 153 FEET MORE OR LESS; RUN THENCE SOUTHEASTWARDLY A DISTANCE OF 80 FEET MORE OR LESS TO THE SOUTHEAST RIGHT OF WAY LINE OF OLD PASCAGOULA ROAD AND THE NORTHWEST CORNER OF LOT 5 TILLMAN'S CORNER COMMERCIAL SUBDIVISION, RECORDED IN MAP BOOK 62 PAGE 81 IN THE RECORDS OF SAID PROBATE COURT; RUN THENCE SOUTHEASTWARDLY ALONG SAID LOT 5 A DISTANCE OF 152 FEET MORE OR LESS; RUN THENCE EASTWARDLY ALONG SAID LOT 5 A DISTANCE OF 78 FEET MORE OR LESS; RUN THENCE SOUTHWARDLY AND PARALLEL WITH THE WEST LINE OF SECTION 27 T5S R2W A DISTANCE OF 250 FEET MORE OR LESS; RUN THENCE WESTWARDLY AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 27 A DISTANCE OF 338 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF SAID SECTION 27; RUN THENCE SOUTHWARDLY ALONG SAID WEST LINE A DISTANCE OF 717 FEET MORE OR LESS; RUN THENCE WESTWARDLY AND PARALLEL WITH THE NORTH LINE OF SECTION 28 T5S R2W A DISTANCE OF 255 FEET MORE OR LESS; RUN THENCE S05° 51' 13"E A DISTANCE OF 990 FEET MORE OR LESS TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28; RUN THENCE WESTWARDLY ALONG SAID SOUTH LINE A DISTANCE OF 1190 FEET MORE OR LESS; RUN THENCE SOUTHWARDLY AND PARALLEL WITH THE EAST LINE OF SAID SECTION 28 TO A POINT ON THE SOUTH RIGHT WAY LINE OF INTERSTATE 10; RUN THENCE SOUTHWESTWARDLY ALONG INTERSTATE 10 TO A POINT ON THE NORTHWARDLY PROJECTION OF THE EAST RIGHT OF WAY LINE OF MIDDLE ROAD; RUN THENCE SOUTHWARDLY ALONG THE EAST RIGHT OF WAY LINE OF MIDDLE ROAD TO THE SOUTH RIGHT OF WAY LINE OF PLANTATION ROAD; RUN THENCE EASTWARDLY ALONG PLANTATION ROAD A DISTANCE OF 30 FEET MORE OR LESS; RUN THENCE SOUTHWARDLY AND PERPENDICULAR TO PLANTATION ROAD A DISTANCE OF 346 FEET MORE OR LESS TO A POINT ON THE SOUTH LINE OF LOT 58 UNIT 1 CAROL PLANTATION SUBDIVISION, RECORDED IN MAP BOOK 4, PAGE 403 IN SAID PROBATE COURT; RUN THENCE WESTWARDLY TO THE EAST LINE OF LOT 59 OF SAID SUBDIVISION; RUN THENCE SOUTHWESTWARDLY ALONG LOTS 59-65 INCLUSIVE TO THE SOUTHEAST CORNER OF SAID LOT 65; RUN THENCE EASTWARDLY ALONG THE NORTH LINE OF SECTION 4 T6S R2W A DISTANCE OF 905 FEET MORE OR LESS TO A POINT; RUN THENCE S02° 10' 03" W A DISTANCE OF 1430 FEET MORE OR LESS; RUN THENCE S26° 43' 00" E A DISTANCE OF 163 FEET MORE OR LESS TO A POINT ON MOBILE COUNTY WATER AND SEWER AND FIRE

PROTECTION AUTHORITY, RECORDED IN MAP BOOK 102 PAGE 55 IN SAID PROBATE COURT; RUN THENCE SOUTHEASTWARDLY ALONG SAID SUBDIVISION A DISTANCE OF 251 FEET MORE OR LESS; RUN THENCE NORTHEASTWARDLY ALONG SAID SUBDIVISION A DISTANCE OF 186 FEET MORE OR LESS; RUN THENCE S36°19'00"E A DISTANCE OF 321.45 FEET MORE OR LESS TO THE NORTH RIGHT OF WAY OF THEODORE DAWES ROAD; THENCE CONTINUE S36°19'00"E A DISTANCE OF 120 FEET MORE OR LESS TO THE SOUTH RIGHT OF WAY OF THEODORE DAWES ROAD; RUN THENCE S36°04'00"E A DISTANCE OF 445 FEET MORE OR LESS TO A POINT ON LOWE PROPERTY RECORDED IN MAP BOOK 51 PAGE 22 IN SAID PROBATE COURT; THENCE CONTINUE S36°04'00"E A DISTANCE OF 148.7 FEET MORE OR LESS; RUN THENCE SOUTHWESTWARDLY A DISTANCE OF 74.6 FEET; RUN THENCE SOUTHEASTWARDLY A DISTANCE OF 17 FEET MORE OR LESS; RUN THENCE S31°07'W A DISTANCE OF 833 MORE OR LESS; RUN THENCE SOUTHWESTWARDLY ALONG PROPERTY CONVEYED ACCORDING TO RPB 5697 PAGE 1677 IN SAID PROBATE COURT A DISTANCE OF 199.23 FEET TO A POINT ON THE NORTHEAST RIGHT OF WAY LINE OF KATHERINE HANKINS DRIVE; RUN THENCE SOUTHEASTWARDLY ALONG THE NORTHEAST RIGHT OF WAY KATHERINE HANKINS DRIVE A DISTANCE OF 307.72 FEET MORE OR LESS; RUN THENCE SOUTHWESTWARDLY A DISTANCE OF 73 FEET MORE OR LESS TO A POINT ON THE SOUTHWEST RIGHT OF WAY OF KATHERINE HANKINS DRIVE AND THE NORTHWEST CORNER OF PROPERTY CONVEYED ACCORDING TO RPB 5642 PAGE 355 IN SAID PROBATE COURT; THENCE RUN SOUTHWESTWARDLY ALONG THE NORTHWEST LINE OF SAID PROPERTY A DISTANCE OF 144 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF SECTION 3 T6S R2W; RUN THENCE SOUTHEASTWARDLY ALONG SAID PROPERTY A DISTANCE OF 45 FEET MORE OR LESS; THENCE CONTINUE SOUTHEASTWARDLY A DISTANCE OF 20 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF GRAYS SUBDIVISION RECORDED IN MAP BOOK 42 PAGE 81 IN SAID PROBATE COURT; THENCE CONTINUE SOUTHEAST ALONG SAID SUBDIVISION A DISTANCE OF 152 FEET MORE OR LESS; RUN THENCE SOUTHWESTWARDLY ALONG PROPERTY CONVEYED IN RPB 2352 PAGE 28 A DISTANCE OF 407 FEET MORE OR LESS; THENCE CONTINUE SOUTHWESTWARDLY ALONG PROPERTY CONVEYED IN RPB 6050 PAGE 1708 IN SAID PROBATE COURT A DISTANCE OF 90 FEET MORE OR LESS TO THE NORTHEAST RIGHT OF WAY LINE OF CAROL PLANTATION ROAD; RUN THENCE SOUTHWESTWARDLY A DISTANCE OF 56 FEET MORE OR LESS TO A POINT ON THE

SOUTHWEST RIGHT OF WAY LINE OF CAROL PLANTATION ROAD; RUN THENCE SOUTHWESTWARDLY ALONG PROPERTY CONVEYED IN REAL PROPERTY BOOK 541 PAGE 531 A DISTANCE OF 300 FEET MORE OR LESS; RUN THENCE NORTHWESTWARDLY ALONG SAID PROPERTY A DISTANCE OF 160 FEET MORE OR LESS TO A POINT ON PROPERTY CONVEYED IN REAL PROPERTY BOOK 6276 PAGE 692; RUN THENCE SOUTHWESTWARDLY ALONG SAID PROPERTY A DISTANCE OF 908 FEET MORE OR LESS; RUN THENCE WESTWARDLY AND PARALLEL WITH THE SOUTH LINE OF SECTION 4 T6S R2W A DISTANCE OF 1360 FEET MORE OR LESS TO THE WEST LINE OF THE SE ¼ OF SECTION 4 T6S R2W; RUN THENCE SOUTHWARDLY ALONG SAID WEST LINE AND CONTINUE ALONG THE WEST LINE OF THE NE ¼ OF SECTION 9 T6SR2W TO THE NORTH RIGHT OF WAY LINE OF US HIGHWAY 90 WEST; RUN THENCE SOUTHEASTWARDLY A DISTANCE OF 129 FEET MORE OR LESS TO A POINT ON THE SOUTHEAST RIGHT OF WAY LINE OF US HIGHWAY 90 WEST AND THE SOUTH LINE OF THE NE ¼ OF SAID SECTION 9; RUN THENCE EASTWARDLY ALONG SAID SOUTH LINE TO THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF CSX RAILROAD; RUN THENCE SOUTHWESTWARDLY ALONG SAID RAILROAD TO THE SOUTHWEST LINE OF LOT 2 WINSTON QUARTERS RECORDED IN MAP BOOK 85 PAGE 32 IN SAID PROBATE COURT; RUN THENCE SOUTHEASTWARDLY AND EASTWARDLY ALONG SAID LOT 2 TO A POINT ON THE WEST LINE OF SECTION 10 T6S R2W; RUN THENCE NORTHWARDLY ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF RICHARD HUNTER SUBDIVISION AS RECORDED IN MAP BOOK 5 PAGE 164 IN SAID PROBATE COURT; RUN THENCE EASTWARDLY AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 10 TO THE EAST RIGHT OF WAY LINE OF BELLINGRATH ROAD, SAID POINT BEING 80 FEET MORE OR LESS SOUTH OF THE SOUTHWEST CORNER OF PROPERTY CONVEYED IN REAL PROPERTY BOOK 5936 PAGE 849 IN SAID PROBATE COURT; RUN THENCE SOUTHWARDLY ALONG THE EAST RIGHT OF WAY LINE OF BELLINGRATH ROAD A DISTANCE OF 56 FEET MORE OR LESS; RUN THENCE N 87° 35' 28"E A DISTANCE OF 762 FEET; RUN THENCE SOUTHWARDLY AND PARALLEL WITH BELLINGRATH ROAD A DISTANCE OF 408 FEET MORE OR LESS; RUN THENCE EASTWARDLY TO THE CENTER OF SAID SECTION 10; RUN THENCE SOUTHWARDLY ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 10 TO A POINT ON THE NORTH LINE OF LOT 16 BELLINGRATH COUNTRY CLUB ESTATES 4TH UNIT RECORDED IN MAP BOOK 77 PAGE 43 IN SAID PROBATE COURT; RUN THENCE EASTWARDLY ALONG THE NORTH LINE OF LOTS

16-22 OF SAID FOURTH UNIT AND ALONG LOT 1A BELLINGRATH ROAD COUNTRY CLUB ESTATES WILLARD DR ADDN PHASE 2 MAP BOOK 115 PAGE 115 AND ALONG THE NORTH LINE OF COMMON AREA LOCATED IN BELLINGRATH ROAD COUNTRY CLUB ESTATES WILLARD ADDN PHASE 1 MAP BOOK 113 PAGE 86 AND ALONG LOTS 21- 25 INCLUSIVE BELLINGRATH ROAD COUNTRY CLUB ESTATES UNIT 10 MAP BOOK 115 PAGE 77 IN SAID PROBATE COURT; RUN THENCE SOUTHEASTWARDLY ALONG THE MEANDERINGS OF MUDDY CREEK TO THE WEST RIGHT OF WAY LINE OF BOWERS LANE; RUN THENCE SOUTHWARDLY ALONG THE WEST LINE OF SAID BOWERS LANE TO THE NORTH LINE OF SECTION 15 T6S R2W; RUN THENCE EASTWARDLY ALONG THE NORTH LINE OF SECTION 15 AND SECTION 14 T6S R2W TO A POINT 2205 FEET MORE OR LESS WEST OF THE SOUTHEAST CORNER OF SECTION 11 T6S R2W SAID POINT BEING A POINT ON A CURVE CONCAVE NORTHEASTWARDLY; RUN THENCE NORTHWESTWARDLY ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 315 FEET MORE OR LESS TO A POINT ON A 10 FOOT UNION CARBIDE PIPELINE EASEMENT; RUN THENCE EASTWARDLY ALONG SAID EASEMENT A DISTANCE OF 2362 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF SECTION 11 T6SR2W; RUN THENCE NORTHWARDLY ALONG THE EAST LINE OF SAID SECTION 11 A DISTANCE OF 780 FEET MORE OR LESS; RUN THENCE SOUTHEASTWARDLY ALONG PROPERTY CONVEYED IN RPB 1332 PAGE 52 IN SAID PROBATE COURT A DISTANCE OF 152 FEET MORE OR LESS; RUN THENCE EASTWARDLY ALONG SAID PROPERTY TO THE WEST RIGHT OF WAY LINE OF RANGELINE ROAD; RUN THENCE NORTHEASTWARDLY TO THE EAST RIGHT OF WAY LINE OF RANGELINE ROAD AND THE SOUTHWEST CORNER OF LOT 5 AMENDED RANGELINE INDUSTRIAL SUBDIVISION RECORDED IN MAP BOOK 87 PAGE 39 IN SAID PROBATE COURT; RUN THENCE EASTWARDLY ALONG SAID LOT 5 AND ALONG PART OF LOT 2 OF SAID SUBDIVISION AND PART OF LOT 1 OF SAID SUBDIVISION TO THE EAST RIGHT OF WAY LINE OF AIRCO ROAD; RUN THENCE NORTHEASTWARDLY ALONG SAID EAST RIGHT OF WAY LINE AND THE PROJECTED EAST RIGHT OF WAY LINE OF AIRCO ROAD TO THE NORTHEAST RIGHT OF WAY LINE OF HAMILTON BOULEVARD; RUN THENCE WESTWARDLY THEN NORTHWESTWARDLY ALONG SAID HAMILTON BOULEVARD TO THE EAST LINE OF LOT 15 HURRICANE BAY RECORDED IN MAP BOOK 71 PAGE 16 IN SAID PROBATE COURT; RUN THENCE NORTHWARDLY ALONG THE WEST LINE OF SAID LOT 15 TO A POINT ON THE NORTH BANK OF ALLIGATOR BAYOU; RUN

THENCE SOUTHEASTWARDLY, NORTHEASTWARDLY, NORTHWARDLY AND WESTWARDLY ALONG SAID BAYOU TO THE SOUTH LINE OF PART OF LOT 1 RESUBDIVISION OF RANGELINE PROPERTIES RECORDED IN MAP BOOK 111 PAGE 60 IN SAID PROBATE COURT; RUN THENCE NORTHWESTWARDLY 1540 FEET MORE OR LESS TO A POINT ON THE EASTWARDLY SIDE OF LOT 2-A OF SAID RANGELINE PROPERTIES; RUN THENCE NORTH ALONG LOT 2-A & LOT 3-A OF SAID SUBDIVISION A DISTANCE 436 FEET MORE OR LESS; RUN THENCE NORTHWESTWARDLY ALONG THE NORTH LINE OF SAID LOT 3-A A DISTANCE OF 803 FEET MORE OR LESS; RUN THENCE NORTHWARDLY ALONG OLD RANGELINE ROAD A DISTANCE OF 299 FEET MORE OR LESS; THENCE CONTINUE ALONG SAID ROAD A DISTANCE OF 45 FEET MORE OR LESS TO THE NORTHWEST CORNER OF SAID LOT 1, SAID POINT ALSO LYING ON THE EAST RIGHT OF WAY LINE OF OLD RANGELINE ROAD; RUN THENCE NORTHWESTWARDLY ALONG THE EAST RIGHT OF WAY LINE OF OLD RANGELINE A DISTANCE OF 178 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF LOT C-1 RESUBDIVISION OF LOT C OF THE RESUB OF LOT 2 RIVERVIEW PT RECORDED IN MAP BOOK 100 PAGE 122 IN SAID PROBATE COURT; CONTINUE NORTHWARDLY ALONG THE EAST RIGHT OF WAY LINE OF OLD RANGELINE ROAD A DISTANCE OF 110 FEET MORE OR LESS; RUN THENCE WESTWARDLY A DISTANCE OF 365 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF MANDRELL'S ADDITION TO HOLLINGER'S ISLAND RECORDED IN MAP BOOK 5 PAGE 238 IN SAID PROBATE COURT; RUN THENCE NORTHWARDLY AND PARALLEL TO OLD RANGELINE ROAD TO THE SOUTHWESTWARD LINE OF RIVERWOOD ESTATES PHASE 3 RECORDED IN MAP BOOK 115 PAGE 107 IN SAID PROBATE COURT; RUN THENCE NORTHWESTWARDLY ALONG THE SOUTHWARD LINE OF SAID SUBDIVISION AND ALONG THE WESTWARD LINE OF SAID SUBDIVISION TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF RABBIT CREEK DRIVE; RUN THENCE NORTHWESTWARDLY A DISTANCE OF 70 FEET MORE OR LESS TO THE POINT OF CURVATURE AT THE NORTHWEST CORNER OF RABBIT CREEK DRIVE AND GULF CREEK CIRCLE; RUN THENCE SOUTHWESTWARDLY ALONG THE NORTHWEST RIGHT OF WAY LINE OF RABBIT CREEK DRIVE TO THE NORTHEAST RIGHT OF WAY LINE OF RANGELINE ROAD; RUN THENCE NORTHWESTWARDLY ALONG THE NORTHEAST RIGHT OF WAY LINE OF RANGELINE ROAD TO A POINT ON PRESENT CITY LIMITS OF THE CITY OF MOBILE; RUN THENCE SOUTHWARDLY, WESTWARDLY, NORTHWARDLY AND NORTHWESTWARDLY

ALONG THE MEANDERING CITY LIMITS OF THE CITY OF MOBILE TO THE EAST RIGHT OF WAY LINE OF SOLLIE ROAD AND THE POINT OF BEGINNING.

LESS AND EXCEPT CERTAIN PROPERTIES ESTABLISHED AS AN INDUSTRIAL PARK PURSUANT TO SECTIONS 11-23-1, ET SEQ. DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 22, TOWNSHIP 5 SOUTH, RANGE 2 WEST, MOBILE COUNTY, ALABAMA, RUN SOUTH 00 DEGREES 21 MINUTES 40 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION 22, TOWNSHIP 5 SOUTH, RANGE 2 WEST, A DISTANCE OF 293.65 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 35 MINUTES 33 SECONDS WEST 40 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF DEMETROPOLIS ROAD (ALSO KNOWN AS ATWELL ROAD; SAID POINT BEING THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED:

THENCE CONTINUING NORTH 89 DEGREES 35 MINUTES 33 SECONDS WEST RUN 1506.94 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF HALLS MILL ROAD; THENCE ALONG SAID EAST RIGHT OF WAY LINE OF HALLS MILL ROAD, RUN NORTH 15 DEGREES 59 MINUTES 20 SECONDS EAST 794.29 FEET TO THE P.C. OF A CURVE TO RIGHT HAVING A RADIUS OF 1357.58 FEET; THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY LINE OF HALLS MILL ROAD RUN NORTHEASTWARDLY ALONG THE ARC OF SAID CURVE 260.83 FEET TO A POINT; THENCE ALONG THE EAST RIGHT OF WAY LINE OF HALLS MILL ROAD, AS WIDENED, RUN SOUTH 62 DEGREES 06 MINUTES 52 SECONDS EAST 14.85 FEET TO A POINT ON THE ARC OF A NO TANGENTIAL CURVE CONCAVE SOUTHEASTWARDLY HAVING A RADIUS OF 1307.66 FEET; THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY LINE OF HALLS MILL ROAD, AS WIDENED, RUN NORTHEASTWARDLY ALONG THE ARC OF SAID CURVE 133.42 FEET TO A POINT, SAID POINT BEARS NORTH 30 DEGREES 48 MINUTES 31 SECONDS EAST, 133.36 FEET FROM THE LAST DESCRIBED POINT; THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY LINE OF HALLS MILL ROAD, AS WIDENED, RUN NORTH 39 DEGREES 22 MINUTES 22 SECONDS EAST 199.52 FEET TO A POINT; THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY LINE OF HALLS MILL ROAD, AS WIDENED, RUN NORTH 35 DEGREES 10 MINUTES 54 SECONDS EAST 132.42 FEET TO A POINT ON THE SOUTH MARGIN OF HALLS MILL CREEK; THENCE ALONG THE MEANDERINGS OF SAID MARGIN OF HALLS MILL CREEK,

RUN EASTWARDLY 1067 FEET, MORE OR LESS, TO A POINT ON THE AFOREMENTIONED WEST RIGHT OF WAY LINE OF DEMETROPOLIS ROAD; THENCE ALONG SAID WEST RIGHT OF WAY LINE OF DEMETROPOLIS ROAD, RUN SOUTH 00 DEGREES 21 MINUTES 40 SECONDS EAST 1119.54 FEET TO THE POINT OF BEGINNING. CONTAINING 38.5 ACRES, MORE OR LESS.

A map depicting this area is attached hereto and incorporated herein. In the event of a conflict between the attached map and the written description of the territory described above, the depiction of the territory on the attached map shall control and be given effect.

2. Pursuant to § 11-23-6 of the *Code of Alabama*, the territory described in paragraph 1 and depicted on the attached map excludes any property situated within any industrial park which by statute is exempt from municipal annexation. In the event that any property situated within such an industrial park is inadvertently described in paragraph 1 or included in the territory depicted on the attached map, then in such event such property shall be deemed to be excluded from the territory sought to be brought within the limits of the City of Mobile.
3. The Mayor of the City of Mobile is authorized and directed to certify and deliver a copy of this Resolution to the Judge of Probate for Mobile County pursuant to and in accordance with § 11-42-42 of the Code of Alabama;
4. If the majority of those persons voting in such an election vote in favor of the above-described territory being brought within the corporate limits of the City of Mobile, then all of such territory, and all property having a situs within such territory, shall be exempt from City ad valorem taxation or the payment of ad valorem taxes to the City for a period of ten (10) years from the time when such territory is brought within the

corporate limits of the City, all as provided by § 11-42-57 of the *Code of Alabama*; except that, from time to time after the lapse of five (5) years from the time when such territory is brought within the corporate limits of the City, all portions of such territory as has residing on it a population of at least twenty (20) persons on a contiguous ten (10) acres of land and all property having a situs on such populated territory shall thereafter be subject to ad valorem taxation by the City and ad valorem taxes thereon shall thereafter be paid to the City, all as provided by § 11-42-58 of the *Code of Alabama*.

5. Pursuant to § 11-42-83 of the *Code of Alabama*, every person, firm, company or corporation engaged in or carrying on any business, vocation, occupation or profession in the territory brought within the corporate limits of the City pursuant to this Resolution shall be exempt from the City's gross receipts business license tax with respect to gross receipts received from the business, vocation, occupation, or profession engaged in or carried on in such territory for so long as the territory is exempt from City taxation; provided, however, that a business license tax shall be assessed and collected from each such person, firm, company or corporation in proportion to the capital employed within the territory exempt from City taxation in such trade, business, vocation, occupation or profession, including the value of the land with improvements thereon, used in such trade, business, vocation, or occupation and shall not exceed \$2.00 per \$1,000.00 where the capital employed does not exceed \$100,000.00, and shall not exceed \$1.00 per \$1,000.00 on the excess of capital employed over \$100,000.00 up to \$200,000.00, and shall not exceed \$.50

per \$1,000.00 on the excess of the capital employed over \$200,000.00 up to \$300,000.00, and shall not exceed \$.25 per \$1,000.00 on the excess of capital employed over \$300,000.00; provided, however, that if no capital is employed or where the capital employed is less than \$1,000.00, there shall be no privilege or license tax assessed and collected. At such time as such territory is no longer exempt from City taxation under the provisions of Article 3, Chapter 42, Title 7 of the *Code of Alabama*, the then existing City gross receipts business license tax shall be annually assessed and collected from each and every such person, firm, company or corporation engaging in or carrying on any business, vocation, occupation or profession in the territory formerly exempt from City taxation.

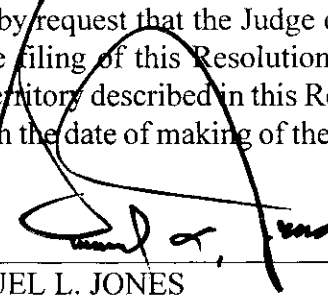
6. This Resolution is passed under the provisions of Title 11, Chapter 42, Article 3, of the *Code of Alabama*.

Adopted:


City Clerk

CERTIFICATION OF RESOLUTION BY MAYOR

I, Samuel L. Jones, Mayor of the City of Mobile, do hereby certify that this is a true and correct copy of the Resolution adopted by the City Council of the City of Mobile at its regular meeting of August 26, 2008, and, as Mayor, I do hereby request that the Judge of Probate of Mobile County enter an Order within ten (10) days of the filing of this Resolution ordering an election to be held by the qualified electors residing in the territory described in this Resolution not less than twenty (20) days nor more than forty (40) days from the date of making of the Order, all as provided by § 11-42-43 of the *Code of Alabama*.


SAMUEL L. JONES
Mayor
City of Mobile

FILED IN COURT

AUG 26 2008

Probate Court of Mobile County, Ala.
By: McFarham, Jr., Clerk of Court